

REPORTAGE / CRIME

Screams from the Army Post

The Indian Army's torture and murder of civilians in a restive Jammu

JATINDER KAUR TUR

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Zainab Bi, the mother of Safeer, the Intelligence Bureau informer who was tortured and murdered by the Indian Army on 22 December 2023. SPECIAL ARRANGEMENT



{ONE}

MIR HUSSAIN'S FAMILY was not a wealthy one, and they did not have a large house, but they made do. His eldest son, Noor Ahmed, had joined the Border Security Force—the paramilitary force patrolling India's porous frontier with its Muslim-majority neighbours—assuring the family a stable income. For everything else, the octogenarian Hussain and his 76-year-old wife, Zainab Bi, depended on their second son, Safeer Ahmed. Safeer spent much of his day managing small-time construction contracts for the panchayat in Topa Peer, a tiny isolated village in Jammu and Kashmir, one of the most militarised regions in the world and mere kilometres away from one of the globe's most tenuous borders. The jobs were not that glamorous, though, mostly involving getting firewood from the surrounding thick forests, cleaning snow off the sagging rooftop or taking the corn he grew twelve kilometres

downhill to the town of Bafliaz, in Poonch district. Hussain is terminally ill, and, when his maladies would get severe, Safeer would carry him on his back down a treacherous path, a three-hour hike, to the nearest hospital.

Safeer had also walked the thin line that was required for a Muslim family to have some sense of security along the border. The village of around sixty ramshackle houses had an army post nearby, in which were stationed the 48 Rashtriya Rifles. Army men—many of whom Safeer was on a first-name basis with—used to often roam in the village, asking locals for cigarettes, groceries or other essentials they lacked at camp. Safeer, well-trained in the treks to and from Topa Peer, was asked to work as a porter and informer for the army unit, an offer he had refused, much to the chagrin of military men. They occupied a part of his house, for which they paid no rent. Noor, who was with the BSF's intelligence unit along the Rajasthan border at the time, recalled that in August 2023, a horse the army had tied there caused significant damage to the rented room. "When Safeer complained about the damages, he was summoned to the army post," Noor told me. "But, that day, I called the police station house officer, the army's junior commissioned officer and the special-operations group commander." Safeer was released, though the security personnel kept his phone for a few days.

Noor admitted his brother had a close relationship with the government's intelligence apparatus. "He was already a registered source for the Intelligence Bureau," Noor said. The IB is India's domestic intelligence agency and has a network of informers in Jammu and Kashmir, a net that is particularly thick around Poonch and Rajouri, regions through which Pakistan-trained militants enter. An IB official told me that their informers' credentials and past tips were meticulously scrutinised before they were added to the Register of Informers—an official roster of the IB's informers. Safeer was not

merely on a casual contract, where informers would be paid in cash for individual assignments, but received a monthly salary, indicating that he was a registered informant. “Their handling officer is responsible for the protection of their identity or if they get into any trouble,” the IB officer said.

So, when Noor heard, on the morning of 22 December 2023, that a soldier had come to meet Safeer at Topa Peer, he did not worry more than usual. It was likely about the house, or the horse, he reasoned. Zainab said that a man called Jaggi, who, she claimed, served in the battalion intelligence unit of the Jammu and Kashmir Light Infantry, had asked Safeer to come with him. Zarina, Safeer’s wife, was home at the time, with their four children. Kubra Noor, their daughter, and Amar Hamza, their two-year-old son, saw their father leave with the soldier and thought that he would return with some snacks from the shop. They waited eagerly by the door.



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Noor was on leave, staying in a small house in Hasploom, a village located downhill from Topa Peer and close to the town of Thanamandi. He found out only later that militants had attacked an army convoy in Dera Ki Gali, twelve kilometres up the road from Thanamandi. Four army personnel had been killed, and the militants

had uploaded a video showing off the guns they had seized from the army convoy. The 48 RR was undertaking a search operation in the surrounding villages, picking up dozens of men. Alarm bells began ringing in Noor's head.

<https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-pir-panjar-bakkerwal/attachment-20272>



The landscape around Topa Peer, a tiny isolated village in Jammu and Kashmir's Pir Panjal region. JATINDER KAUR TUR FOR THE CARAVAN

The next morning, Safeer's body returned to Topa Peer. Zainab fainted on seeing him, specifically the deep gash across his forehead from the post-mortem that the army had hurriedly conducted. She fainted repeatedly over the next few days. "They returned his body, mutilated with multiple fractures and a broken neck," she told me. Noor was shaking when he described the body. "His arms, hand and feet had electrocution burn marks, and much of his body had protrusions from where he was beaten with rods and lathis." When I reached their home, Amar, who was still young enough to mistake the words for father and uncle, was running around in circles shouting "*Army ne chacha kaat ta*"—the army cut uncle up.

The army returned to Safeer's home four days after his death. Brigadier MP Singh and Colonel Divesh Kumar of the 16 Rashtriya Rifles arrived at the house and handed the family Rs 10 lakh in freshly-minted Rs 500 notes. "They simply said they were feeling

sorry for the loss, gave us the money and left,” Zainab said. Mir Hussain showed me the wads of blood money. They had had little time since their son’s murder to deposit it in a bank. Besides, who would now carry Hussain down the hill to the bank in town?

Safeer’s tragedy was not the only one. On 22 December, 25 men were picked up from several villages in Rajouri and Poonch districts, and taken to three different army posts, where they were severely tortured. Three of them died. In a video from one of the torture sites, a man is clearly heard saying “Commander sahib *bol raha hai koi pehchan kiya*”—the commander is asking if anyone has been identified. The video—likely taken by one of the soldiers or police officers in the torture room—suggests that the torture and murders were not merely soldiers taking revenge on locals following the militant attack, as was initially reported, but a coordinated operation. This was an operation in which orders were given to three different companies to commit these atrocities in three different army camps. The visuals of the video are reminiscent of the videos of torture and prison abuse by the United States army in the town of Abu Ghraib in Iraq. The videos from Abu Ghraib led to an investigation and the conviction of twelve soldiers. However, the response of both the army and the police to the 22 December incident—I have uncovered evidence of both the post-mortems and first-information report having glaring irregularities—leave little hope for a similar outcome.

In a video from one of the torture sites, a man is clearly heard saying “*Commander sahib bol raha hai koi pehchan kiya*”—the commander is asking if anyone has been identified.

While custodial violence like this has a long history in Jammu and Kashmir, the 22 December incident stands apart for several reasons. First, the fact that one of the soldiers decided to take a video of the torture and share it suggests that the armed forces have been emboldened to believe that they will not face accountability, regardless of the amount of evidence that exists to illustrate their crimes. Second, the fact that it was widely reported that the army paid blood money to the families of those tortured and killed is unprecedented, and points to an abdication of the responsibilities of governance to the army and the military’s role in attempting to derail the criminal-justice system. Third, both the army and various ministers of the ruling Bharatiya Janata Party were quick to respond to the situation, announcing a slew of welfare measures for the affected villages. This is uncharacteristic of previous brutal operations. This is likely as much a factor of the BJP’s own electoral interests in the region—given that all those affected were from the numerically important Gujjar and Bakkerwal communities—as it is the army’s attempt to pacify a now restive frontier. This suggests a worrying union between politics and the armed forces, one that does not augur well for religious minorities anywhere in the country, least of all in grieving villages such as Topa Peer.

“*DIN JUMMA THAA*”—It was the day of Friday prayers, is how several of the locals I spoke to remember 22 December. The brutal

torture of 25 men on a day of religious importance seemed to shatter the uneasy peace the Gujjar and Bakkerwal communities had made with the army—over seventy years in the making.

The modern conflict in the region began in Poonch. Within days of India and Pakistan's Independence, the Muslims of Poonch rebelled against their Hindu king, Hari Singh, over high taxes. The king sent in state forces to disarm the Poonchis—a community with a long history of recruitment in the British Indian Army. These forces conducted several massacres of Muslims. Historians estimate that about two hundred thousand Muslims were killed and thirteen thousand Muslim women were abducted in the Jammu region alone. In support of the Poonchis, tribal irregulars from the North-West Frontier Province—with tacit backing from the Pakistani army—invaded the princely state. In the conflict that followed, the Indian and Pakistani armies drew up the Line of Control, a de-facto border less than ten kilometres from Poonch.

A Kashmiri saying describes how militarised the region remains: “The army does not live with the people there, the people live with the army.” Most villages I visited had an army post directly alongside them. As militancy rose and ebbed in the Kashmir Valley, the Pir Panjal region—Poonch and Rajouri—remained muted, with only a handful of senior militants calling it home. However, they served as practised guides in the thickly forested terrain. “The militants primarily used to be the foreign Punjabi militants, and never Pathan or Sindhi,” a former commander of the northern army told me, on condition of anonymity. “Bakkerwals used to act as guides and even carried their AK-47s. Those days, these Gujjars used to cross Gulmarg and passes in Pir Panjal Range and reach Kashmir Valley in summers to feed their cattle in these rich green grazing fields. And in winters, they would migrate to the south of the Pir Panjal range.”

The Gujjars and Bakkerwals were caught in the middle of the crossfire between militants and the Indian Army. “We are forced to give food at gunpoint if some militant comes asking for food and, similarly, we bow before the army because of their guns,” a resident of Topa Peer told me. “In this jungle, if the ones getting a salary in lakhs could not stop the militants, how can we stop them? What do we have in our possession to stop them?”

To combat militant infiltration during the 1990s, the Indian government began arming local Hindu militias called Village Defence Committees. Members of the VDCs were accused of carrying out mass rapes and killings of Muslims, though few were ever convicted. The extent of the killing that both the army and the VDCs carried out became clear in a September 2011 report by the Jammu and Kashmir Human Rights Commission, which uncovered more than four thousand unmarked graves in Poonch and Rajouri districts alone. Few of these cases were ever investigated, with the Armed Forces (Special Powers) Act giving the army virtually complete legal immunity in the region since 1990. The situation would only get more tenuous when, in 2013, the army redeployed the Rashtriya Rifles en masse from the hinterlands to the border regions of Poonch and Rajouri. In that year alone, twelve thousand RR troops were moved to the Line of Control. The RR was infamous for its brutality. An army officer told me that the RR “is also known as the ‘Ravan Raj’ within the organisation for a reason.”

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Lal Hussain, a local of Topa Peer, who was among the first men the army picked up for torture on 22 December. His is one of the most complete accounts of the horrors of that day. JATINDER KAUR TUN FOR THE CARAVAN

Following the troop build-up, the Gujjar and Bakkerwal communities had no route to safety or income without cooperating

with the forces. The villages I visited were sparse and disconnected. Reaching Topa Peer required an hour's drive from the district capital, along the historic Mughal Road, and another hour of trekking on narrow winding tracks, tripping over overgrown roots. The elderly and young had to be carried on the shoulders of others down these tracks to access schools, hospitals or any other basic need, a feat that was impossible in any winter but the current snowless one. The families had no running water or electricity after dark. Their terraced farms were wilted and sickly, and the houses derelict.

The army had become the region's government in all but name. "It was with great and constant efforts involving Gujjars and Bakkerwal communities, bringing them into mainstream jobs, providing facilities like ration, medical aid and carrying out other development exercises that the army finally succeeded in winning over them," a former northern army commander told me. The close association of locals and the army was something I noticed in my reporting too. Nearly everyone I spoke to had some job related to the forces—as porters or informers, or they worked with the Border Roads Organisation. The army mingled with villagers, buying provisions from them—nearly all those tortured on 22 December would certainly have known their torturers on a first-name basis. In fact, until a few years earlier, the BJP was hopeful of even winning over the Gujjar and Bakkerwal votes, a critical factor in allowing the Kashmir Valley to not maintain a majority of seats in any election.

But several recent incidents had poisoned that well. In January 2018, an eight-year-old Bakkerwal girl was raped and murdered by six Hindu men, including Hindu police officials. Protests in support of the accused were attended by two BJP ministers, and the Hindus of Jammu initiated a social boycott of the Bakkerwals. "This began the alienation of the community," the former commander told me. Following several militant attacks since then, large groups of Gujjar

and Bakkerwal men have been rounded up by the army, while others have been killed in custody. In July 2020, RR personnel killed three migrant labourers—including a minor—from Rajouri district, near the village of Amshipora, in the Kashmir Valley. The army initially claimed they were militants, but, after their bodies were exhumed, a police chargesheet said that a captain had killed the civilians to earn a promised reward for eliminating militants. In November 2023, an armed forces tribunal granted the officer bail. In 2022, the government also restarted the VDCs—which had been wound down after the courts pointed to troves of evidence of their atrocities.

A Kashmiri saying describes how militarised the region remains: “The army does not live with the people there, the people live with the army.”

After a militant attack in April 2023, the RR rounded up 60 men, allegedly for questioning. Mukhtar Hussain Shah, who was among those men, claimed in a video shot after his release, that the army had tortured him during questioning. Shah killed himself days later, sparking major protests. Even the police are not spared. In June 2021, the army dragged the station house officer of the Rajouri police station to a camp and beat him. Even such cases have not led to credible investigations.

All of these are likely why the Pir Panjal region has seen an unusual increase in militant attacks, which are less frequent in the Kashmir Valley now. Following a major militant attack, both the army leadership and soldiers are expected to show that the situation has been dealt with. This can involve killing civilians who they can claim were militants. “The measure of achievement during a posting of an

officer is ‘killing somebody,’ and they have to show how many they’ve killed and how many are still roaming,” a retired general, who had been posted in Kashmir, told me. “Add to this the ‘never say no’ culture of the army, and officers ... pounce upon these helpless civilians for commendations, medals and promotions.”

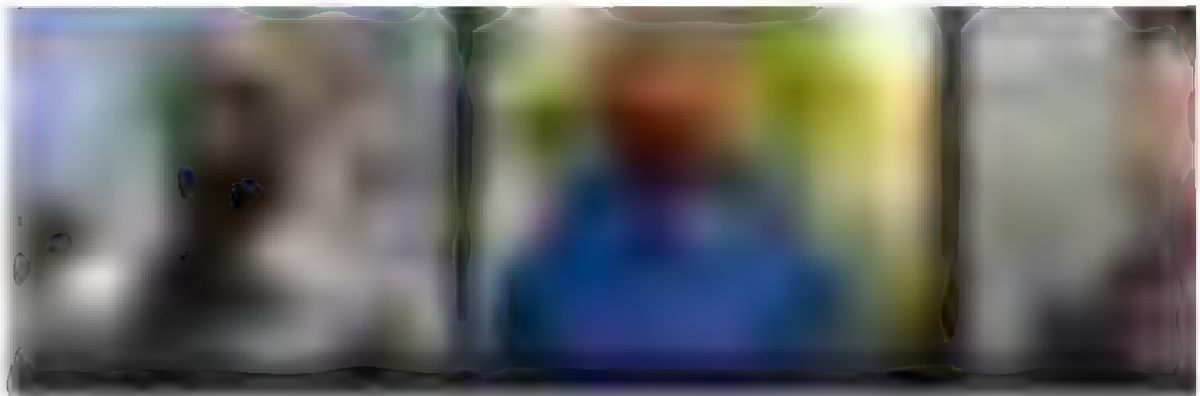
The situation is even worse for informers. “Often the informers are under pressure to give some kind of intelligence input in the aftermath of an attack,” a retired military intelligence officer told me. “The retaliation is often triggered when they can’t give information like who gave them shelter, who tipped off the militants, who fed them, et cetera.” Other informers have been killed simply for asking for their unpaid dues. A local police official told me of a father-son duo whom the army killed years ago. “They worked as informers for them, and, soon, the concerned officials had huge amounts to pay them against tasks they had done,” he said. “First the father was eliminated. Then the son was asked to carry out some tasks across the border if he wanted the dues to be paid.” The son disappeared soon after. “They won’t let anybody quit, and the ones who do are killed.”

The 22 December incident has still been the most brutal example of the fraying of the uneasy peace between the army and the Gujjar and Bakkerwal communities. While the government has attempted to act quickly in offering compensation to the affected families—the defence minister himself visited the region shortly after—the distrust was visible across the villages I reported from. The relatives of the victims told me that never would another villager think of working for the army again. The army held the same distrust. It had hired two new porters, to replace the local porters they had just tortured. Both the new hires were outsiders.

“They are the real terrorists,” one local told me, pointing at the army

camp. “They are the ones who have spread terror and killed innocents.” An air of fear had crept across the region. I left Topa Peer at night. The path was treacherous. SOG men stood along the path, not bothering to tip their guns down, as we walked past. Those accompanying me told me that we were being watched. This was a fear the residents of Topa Peer were now living through every cold day and cloudless night.

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{TWO}

“I DON’T HAVE VERY long to live, so I feel I must tell you everything that happened that day, even if I suffer for it,” Lal Hussain told me. His is the most complete account of events of what occurred in Topa Peer on 22 December. I met the octogenarian late one winter evening. Lal sat stooped, his back straining from the repeated beatings the army had given him on that day. He told me the stoop was also sign of the guilt and shame of not being able to save the other youngsters who were picked up alongside him, including his deceased son-in-law, Shabeer Hussain. A similar survivor’s guilt seemed to chase everybody else in Topa Peer, the entire village being one large extended family through a complex set of marriages.

Around 10 am on the morning of 22 December, Lal Hussain, massaging his aching legs, heard Shabeer knock on the door of his tumble-down stone house. It was an odd time for Shabeer to arrive, given his job as a porter for the 48 RR. Locals told me that he was also an informer. He would spend the mornings collecting water from a spring some distance away and taking it home or up to the Mastandra Army Post—colloquially called the maal post. When Lal opened the door, a few soldiers and police officers entered, with Shabeer in tow. They roughly picked up Lal and frog-marched them to the maal post, alongside Safeer, Shabeer and two neighbours, Riyaz Ahmed and Shaukat Ali. Shaukat had been picked up only minutes before Shabeer, when he, too, was going to pick up water. Nazir Hussain, Shaukat's father, had pleaded with the soldiers to let him go, but one of them had told him that Major Pankaj Kumar, the company commander, had asked for him and that he would be returned home soon.

At the maal post, Lal told me, roughly twenty soldiers picked up wooden rods, with Kumar watching. "They started by hitting us on our legs and stomach, only pausing occasionally to ask us where the militants had come from and where they had gone. We had not even heard of the attack at the time, much less about the whereabouts of the militants." The soldiers did not stop when he explained. "About ten or fifteen of them surrounded Shaukat, wailing down blow after blow on him," Lal said. Within the first ten minutes, a few more soldiers brought in four other young men from Topa Peer: Farooq Ahmed, Jameel Ahmed, Israel and Irfaan. Irfaan, whom I spoke to after he had spent two weeks at a hospital, told me that the soldiers who came to pick him up had initially told him it would only be a quick ten-minute questioning. The moment he reached the post they pounced on him with lathis and metal pipes. "Shaukat and the others were already bleeding on the ground," Irfaan recalled. "I pleaded with them in the name of Allah, but the man hitting me only

smiled, taking out a knife and saying, “This is to gouge your eyes out with.”

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“Shabeer asked them to stop torturing these men and talk to him since he was already working as an informer for the army,” Lal said. “The very next moment, the soldiers caught both his hands and emptied an entire packet of chilli powder straight into his eyes. They started hitting him brutally.” Similarly, when the soldiers were beginning to hit Safeer, he had begged them saying that he was an informer for the IB, screaming the name of his handler. Lal remembers him begging, asking for them to call the IB officer. The soldiers began hitting him more brutally after that, showering blows on his face and head. It is alarming that the 22 December violence targeted several people close to the army and the intelligence apparatus. “I fail to understand as to why was a man working for the premier intelligence agency of India was eliminated by its own army,” Noor told me. Even if human rights were not a major concern for the Indian state, the fact that the army is eliminating assets of the government’s own agencies in Jammu and Kashmir should raise alarm bells in Delhi.

Lal recalled that, when one of the wooden rods snapped, the men got a bamboo bar. When that broke, they brought a large pestle used to grind spices. Over the next hour, every large implement the battalion had was broken over the broken bodies of the nine men from Topa Peer. Lal remembered thinking it could not get worse.

Shehnaaz Akhtar, a relative of Shaukat's, remembers that his wife had called her in the morning, saying that he had been picked up by the army. They had reckoned he had been taken to Surankote police station. Around 10.15 am, Shehnaaz was grazing her sheep near the maal post when she heard horrific screams coming from the buildings. She then saw the eight men being dragged outside the room. "I saw Shaukat being dragged to the water tank where four or five soldiers were holding his limbs and his head while drowning and smothering him in water," Shehnaaz told me. "They were also electrocuting him. I started shouting for help, pleading for mercy. I asked them to hand him over to the police station if he had done something wrong. Those two army men, Mahi and Jaggi, threatened to empty 32 bullets in me if I didn't run away." She retreated, immediately alerting Shaukat's family.

 (<https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-gujjar-bakkerwal/attachment-20238>)



Shehnaaz Akhtar, a relative of Shaukat's, remembers that his wife had called her in the morning, saying that he had been picked up by the army.

Lal remembers that Safeer was dunked into the water next. A soldier held him upside down, with his head in the water. The water bubbled up and then went still when Safeer stopped shaking. "He died in front of my eyes," Lal said.

Shaukat was the next to die. He had been married less than a year, and the home of his in-laws abuts the maal post. Shortly before he died, Shaukat's wife, Fatima—heavily pregnant with his child—and her parents reached the fencing around the post. "About ten or twelve women who were there began wailing and pleading with the army to release the men," Nazir, who was also there, recalled. "The major ordered the soldiers to drag us in through the barbed wire and strip us naked," Fatima told me. Busy holding the bodies down in the water and electrocuting the men, the soldiers did not follow through. "I saw they were hitting Shaukat and then drowning him in the tank," Fatima said. He died in the presence of her and their unborn child. Shabeer, Lal's son-in-law, was the last to die. "They took his body out of the water only after ensuring he was dead."

These were also some of Irfaan's last memories of the maal post. He remembers the three bodies flayed out in front of him and a soldier saying, "We will dump these sister fuckers in some trench." Another replied, "We will burn them and then dispose of the bones." He was hit on the back of the head with a metal rod soon after, and lost consciousness. When he came to, he was lying in the back of a truck. With him were lying three bodies, his friends Safeer, Shaukat and Shabeer.

"YOU KNOW you will be answerable for these deaths, right?" Lal recalled hearing a policeman standing nearby say. "Major Pankaj

started shaking very badly on hearing that.” The policeman then pointed to Lal and asked, “Will you be returning this old man alive or dead?” The ordeal had already lasted nearly six hours. The major let Lal leave, on the condition that he kept quiet. “He told me that if I tell anyone about what occurred, they would not return the bodies, including my son-in-law’s,” Lal said. After limping his way back down to Topa Peer, Lal raised the alarm. A group then went up from the village, including the local panchayat representative, Mohammed Sadeeq, who was also Shaukat’s uncle.

“When we reached there,” Sadeeq said, “the injured had been stuffed into one room, while the dead were thrown in another.” He added that the soldiers “were continuing to threaten to drag the women into camp and strip them there.” Shehnaaz recalled a company commander, referring to the militant attack, shouting at them, “Those whose necks and arms were severed did not affect you, but now you are here crying for your children.” After that, she said, the soldiers aimed their guns at the women, threatening to shoot if they continued to stand there. She and the others fled back to their homes.

At around 3.30 pm, a girl came running into Shehnaaz’s home, saying that the army was taking Shaukat away from the maal post. When Shehnaaz and her mother, Parveen Akhtar, returned to the post, they saw a terrifying procession. Shaukat was being carried on a cot by four soldiers, a glucose drip sticking out of his arm. He was followed by Shabeer and Safeer, on cots, their bodies obscured by thick white gunny bags. The five other men were being dragged along or were limping to the jabs of army rifles. “We heard them moaning for water,” Shehnaaz said. “Irfaan asked me to put some water into his mouth, saying that blood had dried up in his mouth.” When she and a few other women ran to them with warm water, the soldiers pushed them away. “We fell on their feet and begged them, asking

that they need to have some water before they die, as is our custom. One soldier replied, "They deserve to die thirsty," before kicking us aside and dragging them with more force."

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An hour later, the procession reached Dandi Mohalla, the closest village that had road access. As they waited for army trucks to arrive, Shehnaaz said, the soldiers were debating whether Shaukat was actually dead. "They threw Shaukat on the ground, and then these three soldiers started jumping on his chest to see if he was alive." The men were loaded onto a pick-up truck and driven away. "We did not know where they had taken them," Lal said. "For all we knew, they could have just thrown the body anywhere along the Mughal Road or the forest."

(<https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-poonch-bjp-gujjar-bakkerwal/attachment-20239>)



Hours later, a man who had seen the army convoy pass, told the residents of Topa Peer that they had been taken to the 48 RR's Bafliaz

base. Rangeela Begum, Lal's daughter-in-law, was part of the first group from the village to reach Bafliaz. She told me that she walked straight into the camp and could see some of the injured men there. "They were pleading, asking me to save them," she said. She was soon pushed out by the soldiers, but many of the villagers had by then begun a protest outside the camp, demanding that the injured be sent to the hospital. The bodies of Shaukat, Safeer and Shabeer were returned to them after 3 am. "They finally released the bodies only after the intervention of the district administration and the police authorities," Sadeeq, the panchayat official, told me. "By then, senior police and administrative officials from both Poonch and Surankote had arrived."

"I was told that a post-mortem was being conducted then and when I finally got to see the body at 4 am, it was only after performing the post mortem," Noor told me. "The post-mortem was conducted inside the Bafliaz camp." A medical officer from a paramilitary force told me that a proper procedure has to be adopted while granting permission to perform post-mortems at a company-operated base. "In a COB, only a medical inspection room is provided, with one junior doctor and a medical assistant," they said. "It's clearly evident that those who died would have suffered fractures, thus needing an X-ray for the post-mortem. This clearly would not have been possible here. Everything seems like a cover-up." The families also were not allowed to identify the bodies before the post-mortem was conducted, which is legally required in all post-mortems.

The families refused to accept the bodies until the six remaining men were taken to the hospital. When they were finally shifted to the Surankote army hospital, it was in a heavily guarded convoy, which the families could not approach. Irfaan was the worst injured among those still alive. "There was blood in my urine because of the repeated punches to my abdomen," he told me. His condition was so

severe he was airlifted to the military hospital in Udhampur.

**When I visited Irfaan's home,
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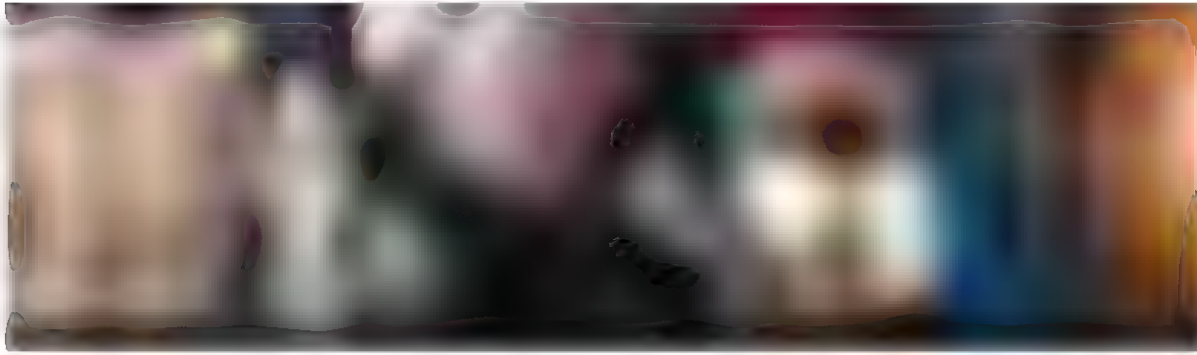
When I visited Irfaan's home, on 9 January, his family did not still know whether he was alive or dead. The army had not bothered to inform them of his transfer or allowed Irfaan to make any calls. He returned home 22 days after he had been first picked up, a shell of a man. He was all bone, unable to walk without the help of others. He had been the sole earner in the family, spending much of the day working, the early evenings delivering rations and oil to the maal post and the late evenings stacking stones to build their home, since the family could not afford to hire any construction workers. Now, with Irfaan unable to walk outside the eaves of the home he had built, they did not know how they would stay afloat.

{THREE}

MUCH OF THE REPORTING on the Poonch violence has focussed on the events of Topa Peer alone, ignoring the four other villages from where the 48 RR tortured civilians. This could be explained by the fact that murders took place only in the maal post. However, the events in Hasploom, Panghai, Sawani Mahra and Sangalini involved the torture of far more people—16 in total—and, crucially, come with explicit video evidence of the torture. The video evidence also indicates it was likely a coordinated and pre-planned operation, involving the complicity of senior military officials.

Nearly twenty kilometres from where the militant ambush had taken place, in the village of Hasploom, Mohammad Ashraf was spending his morning in mourning. The 42-year-old's wife had died recently, and his daughter Amrin recalled him crying through the morning, tears slipping down his cheek into the cup of tea he was holding. It was ritual-like, a cup of tea and sadness in the morning, before Ashraf left for his job as a daily-wage worker at the state's power department. That morning's ritual, though, was broken when soldiers barged into the house, pulling her still crying father onto his feet. After a moment of shocked silence, Amrin said, "I asked them what it was about. 'Why are you taking my father away?'" The soldiers did not bother responding, dragging him to the Hasploom army post.

"They took my phone and asked me where was I the day before," Ashraf told me. He described his work for the power department but was confused why he was being questioned. "A soldier looked through my phone and asked me about a fund transfer of Rs 83,000 that I had got," Ashraf said. He explained that it was someone from the village who had owed him money. For the army, though, that was evidence enough. He was dragged onto a pickup truck at the post, and they began the winding journey up the Mughal Road towards the Echo Company base of the 48 RR at Dera Ki Gali. Along the way they picked up four others. At Panghai village, they barged into the home of Mohammad Farooq, a 37-year-old mason, dragging him into the jeep against the protestations of his wife and daughter. Further up the road, 18-year-old Mohammad Zulfqar and his older brother Mohammad Betab were loaded on. They had been called that morning from their home at Panghai village to the Thanamandi police station. The soldiers found them on the road and simply picked them up. By the time they reached Dera Ki Gali, they were five.



Both Ashraf and Betab told me that they were asked only one question before the torture began. “*Aapne army par firing suni?*” — Did you hear the firing against the army? The question seemed absurd to Ashraf and the other four. They lived nearly twenty kilometres away. “Are you in your senses?” Ashraf asked. “How could we have?” *Whack*. He took a lathi blow to the face. Betab had a similarly disappointing answer. *Whack*. The metal rod broke upon his back. The five men were tortured for the next nine hours. Similar to Topa Peer, it began with brutal beatings with lathis and rods. Then the soldiers began opening up packets of chilli powder and spreading onto their skin-peeled backs and anuses.

A video from this period soon went viral across social media. It shows two men being forcibly stripped by soldiers, who proceed to put chilli powder in their anuses. Several uniformed men are visibly beating three others who are spreadeagled on the ground, while others stand with their combat boots on the hands of the tortured men.

Ashraf and Betab confirmed to me that it was them being tortured in the video. The video was likely taken by one of the soldiers or police personnel, who, all five tortured men confirmed, were the only others in the room. An officer who recently served in the RR in

Jammu and Kashmir, told me that the video “seems to be made by somebody in uniform while the army men were interrogating and torturing these civilians.” Multiple people told me that the video would have been circulated by the forces, likely to terrorise others in Jammu and Kashmir about what could occur if more militant attacks took place. Another theory among those I spoke to was that the video could have been taken by a police officer and circulated as a result of a rivalry between the army and the police in the region.

In the video, a soldier is heard saying, “*Arre suno yaar, phone aaya hai ... commander sahib bol raha hai koi pehchan kiya*”—Listen, a phone call has come ... the commander is asking if anyone has been identified. “Across the spectrum in the Indian Army, Commander means Brigade Commander,” the former RR officer told me. “A jawan says, ‘commander sahib,’ while an officer will say ‘commander ka phone hai.’ This is followed by all ranks and files of the organisation.” In the RR’s nomenclature, they added, the brigade commander is officially called the sector commander. “In this case, that would be Brigadier Padam Acharya, the brigade commander of 13 Sector, covering Rajouri,” he said. This audio, as well as the fact that three different companies of the 48 RR tortured people in two other places, Mastandra and Bafliaz, at the same time, clearly indicate this was not merely soldiers acting in anger after the militant ambush.

“This shows that the brigade commander not only gave the directions but also was keeping a tab throughout the interrogation,” the officer told me. “He was tracking the interrogation at the COB level through either the landline or the Mobile Cellular Communication System being used by the Indian Army in Jammu and Kashmir. It must have been these direct orders from this brigade commander that assured those in the lower ranks that nothing will happen to them.”

“This shows that the brigade commander not only gave the directions but also was keeping a tab throughout the interrogation,” the officer told me.

Acharya was last in the news in 2009 when he shot at his neighbour's home, in Pune, killing their pet dog. He was briefly arrested. A senior military official told me, “Such tendencies should have been noticed by the organisation and they should have kept this officer under psychiatric evaluation.” He comes from a decorated military family. His father was reportedly a wing commander who served in the 1965 and 1971 wars. His brother, Padmapani, a major in the 2nd battalion of the Rajputana Rifles, died in the Kargil conflict and was posthumously awarded the Maha Vir Chakra, the second-highest military decoration in India. Several locals and a retired army officer told me that, following the militant attack, Acharya would have needed to do something drastic and show results to his seniors, both to live up to the name of his family and to gain promotions. “He was a very ACR-oriented officer,” a senior army officer told me, referring to Annual Confidential Reports—a performance review that is crucial for securing promotions in the army. And a good ACR he did get. The senior military official told me that Acharya having risen to such a coveted rank implies that he must be “getting 9 points in star qualities in his ACR from his younger days.” These would include qualities such as moral courage, integrity, tolerance for ambiguity and professional competence to handle higher appointments. He added that Acharya would have got about 24 good reports like this in his career to have risen this far.

A retired army officer who has served in the same sector agreed. “A

brigade commander's meter is down from the day he joins because he has a shorter tenure of just sixteen to eighteen months," he said. "There is a pressure from the day they join ... to prove his worth and get good ACR for their promotions and distinguished medals. And things become worse if there is an incident of a militant attack and losing our men, because it shows the incompetence of the sector commander." They argued that the pressure had worsened with recent patterns of giving distinguished service awards. The 2024 list of award winners is largely major generals and lieutenant generals—some of whom received multiple awards in the past. The retired army officer concluded, "So, the sector commander personally executing and ordering this saga of torture to hide incompetence should come as no surprise."

Kashmir's director general of police and the SPs of Poonch and Rajouri did not respond to a detailed questionnaire from *The Caravan*. Neither did the deputy commissioners of these two districts. The public relations officers of the army and ministry of defence did not respond to questions either. The online version of this story will be updated if they do.

Following the phone call from the battalion commander, the five men at Dera Ki Gali too were dunked into troughs of water and electrocuted. Ashraf and Betab have scant memories of what followed. It became flashing, repeated memories of beatings, drowning, electrocutions. They lost track of time.

☞ (<https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-poonch-bjp-gujjar-bakkerwal/attachment-20241>)



Back at Hasploom, after her father was dragged away, Amrin ran to the offices of several authorities, local politicians and journalists.

None of them listened to her pleas to free her only remaining parent or were even willing to tell her why her father was picked up, or where he was currently. She remembers two of the people she met telling her, “*Aaj inka janaza nikalna hei*”—His funeral will be carried out today.

The torture ended for the five men in Dera Ki Gali shortly after 7 am. Farooq recalled being loaded onto a jeep. Rather than taking him to hospital, the soldiers threw him onto the side of the road near the village of Shahdara Sharif. “I was unconscious and then regained some senses when I vomited blood,” Farooq told me. Bleeding internally, his clothes ripped, on the side of a lightless road in the Pir Panjal region’s blistering winter, Farooq hailed down a passing car. He was taken to the government medical college in Rajouri. They also informed his family, who rushed there. The medical records, in *The Caravan*’s possession, of those who were tortured at Dera Ki Gali make for some of the strongest documentary evidence of what occurred on 22 December.

MOHAMMAD NISAR, a 38-year-old from Sawani Mahra, was grazing his sheep near the village’s high school when a group of soldiers approached him. Without giving him any reasons, they took him by jeep to the Bafliaz base. Eight other men from Sawani Mahra were also brought there, as were two from Sangalini village. This included a minor and an old man with impaired hearing. The accounts of these 11 men followed nearly the same pattern as those in Topa Peer and Dera Ki Gali.

At first, the soldiers asked Nisar if he saw the place where the militant attack had taken place. “I told them there is no way I could have seen it because I was grazing my sheep over five kilometres away,” Nisar told me. “Then they started the torture with lathis,

beating us. Then I was dunked in the water.” The others at the Bafliaz base were tortured the same way. The glaring similarities in all three locations in which the torture occurred indicates they might have been working on coordinated orders.

The torture ended at Bafliaz after two village heads came to the army camp and parlayed with the commander. Rather than being taken to hospital or returned to their families, the 11 men were taken to the village of Behramgala, where they were kept the whole night. The army had already descended earlier and beaten several of Behramgala’s residents, Nisar told me. “We were told not to venture out and that the police was looking for us,” he said. “The village head told us to not utter a word.” They were released the next morning and reached home by around 10 am. But the army was already in their villages in force. “They did not allow us to get medical treatment,” Nisar said. “They told us, ‘Die if you want to at home but don’t go out.’” Three days later, when the army let its guard down, the nine men snuck out to the government sub-district hospital in Surankote.

“They did not allow us to get medical treatment,” Nisar said.

“They told us, ‘Die if you want to at home but don’t go out.’”

In hospital, they were visited by Tahira Tabassum, a panchayat head from near Sawani. “She inquired about our health,” Nisar told me. Both she and another sarpanch asked them to drop this issue since they had received compensation. When I spoke to the other sarpanch, who did not wish to be named, he told me, “Who told you what happened here? They got the compensation, so there is no need to report on it.” The fear of speaking about what had occurred

during the incident seemed to be a constant factor among the village leaders I spoke to. “Please understand, we have to survive in this village,” one leader told me. “The administration has already threatened action against those who will speak. So, sorry, I can’t give you further details.” At least three different village heads from the cluster of the panchayats around Sawani said the same. One of them told me that torture that the had occurred in Bafliaz but said that they could not give me any more details, fearing the army would take revenge if they were found to have spoken to the media. “I’ll leave some day, leave the state, come to Hoshiarpur”—in neighbouring Punjab—“and then only I can tell you safely about everything that occurred.”

Other village leaders, who, I was told, were closer to the army, parroted the army’s claims regarding the incident. “See, the army only did this because they too suffered losses in the attack,” one told me. “Soldiers rounding up and thrashing these Gujjars or Bakkerwals is nothing new, only the deaths and the degree of torture is something new.” They told me that a compromise had already been reached between the army and the victims—the money the army had given being proof—so there was no need to write about it anymore.

(<https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-poonch-bjp-gujjar-bakkerwal/attachment-20242>)



It was not panchayat leaders alone who now had to parrot a new line. Despite such overwhelming evidence, including video evidence

of the atrocities that occurred in Dera Ki Gali, much of the national and regional media published scant reports about it. Others even went so far as to paper over the atrocities with inane nationalism and celebration of the army. The best example of this is a line published by *Greater Kashmir*—one of the highest circulated newspapers in Jammu and Kashmir, whose editorial line has shifted drastically after the 2019 abrogation of Article 370—on the morning after the torture, by which time the video had already been widely publicised online. “In the aftermath of a deadly terror attack that unfolded in the serene village of Dhera Ki Gali,” it said, “the resilient spirit of Sawani comes to the forefront as Rashtriya Rifles soldiers stand guard on the shambled road leading to the troubled spot.”

{FOUR}

LEFT TO DIE at the side of the road, bleeding internally and shivering from the cold in his ripped clothes, Farooq managed to hail down a passing car. The men took him to the government medical college in Rajouri and handed him a phone to call his family. A slip prepared by the hospital’s out-patient department details his many injuries, including multiple bruises over his back, several penetrating injuries, alarming liver reports and a haematoma in his scalp. The OPD slip mentions the cause of his injuries simply as “Assault.”

The others who were tortured at Dera Ki Gali were brought to the same hospital soon after. Amrin had rushed to the offices of both the police station house officer and the superintendent of police at Thanamandi after her father was picked up. Neither was present. After knocking on many doors in search of somebody who might know her father’s whereabouts, she finally reached out to Imran Khan, a local reporter. They spent much of the day making calls to various police and army officials who refused to tell them where

Ashraf was. Finally, by 10.20 pm, they were told that some of the men picked up from Hasploom and Panghai were at Dera Ki Gali. They rushed there, finding four men, including Ashraf, and took them to the primary health centre at Thanamandi. From there, the severely injured men were referred to the Rajouri government medical college, where they found Farooq already lying insensate on a bed.

The OPD slips of the other four make for grim reading. Eighteen-year-old Zulfqar's slip says, "Physical assault and Trauma to the left side of the forehead, both arms, back and buttocks." It also mentions severe vomiting and bleeding from his mouth. When I saw him, he was more bruises than skin. "My kidneys and liver were damaged in the process and so were my brother's," he told me. "The medical reports say it all." Zulfqar's CT scan shows that his nasal septum—dividing his nostrils—was deviated. Razaaq—Betab and Zulfqar's elder brother—told me that it took the doctors several hours to remove the blood collected and pooled under Betab's skin. Betab suffered "poly-trauma." Fazal Hussain's case summary and discharge record mention physical trauma to the buttocks, back, thighs, both shoulders and arm. None of the five men were given medico-legal documents, which legally have to be shared by the hospital when any patient comes with unnatural injuries.

**The FIR is registered against
"unknown person 1," despite
the text of the FIR itself
mentioning that the army
picked up Safeer, Shabeer and
Shaukat.**

However, all of their medical documents are clear on what caused the injuries. Fazal Hussain's OPD slip says, "Physical Assault ...

Beaten by Indian Army,” as does Ashraf’s. Despite this, the police did not come to the hospital and take statements from the five men. When a first-information report was finally registered, its only charge was Section 302 of the Indian Penal Code, which pertains to murder. It did not include any charges relating to kidnapping and illegal confinement, criminal conspiracy or torture with the purpose of murder. It also did not include any charges under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, which should have been included as nearly all victims come from the Gujjar and Bakkerwal communities, that are categorised as Scheduled Tribes in Jammu and Kashmir. Most tellingly, though, the FIR is registered against “unknown person 1,” despite the text of the FIR itself mentioning that the army picked up Safeer, Shabeer and Shaukat. None of the names of those injured were mentioned in the FIR.

“How can the accused be unknown?” Amrin asked. “We can identify them. I very much remember the faces who took my father away. You can forget a person whom you spoke to for just five minutes. They kept thrashing my father starting from 11 am to 6 pm. How can we forget those faces?” Most of those who took part in the torture were familiar faces even before 22 December. Amrin recalled some of them coming to their house for meals in the past. Lal Hussain and Vali Mohammed, Shabeer’s father, told me that they recognised nearly every single soldier who had taken part in the torture. “These were army men in mufti and used to regularly come to our houses and shops,” Vali told me. “They were not strangers and everyone knew them.” The police had not approached a single one of the families I had spoken to in order to collect their statements. To make matters worse, locals in Topa Peer told me that the army had already cleaned up much of the evidence from the torture.

□ (<https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-p-gujjar-bakkerwal/attachment-20243>)



In January, the 48 RR was replaced at the Mastandra post by the 61 RR. In the process, all the rooms were cleaned out and the evidence buried. “Everyone left and a new company has come here,” an eyewitness to the torture at the maal post told me. “They destroyed all evidence and did not hold even an identification parade.” They told me they had not seen a single police officer enter the premises since the day of the torture. With the post-mortem having been illegally conducted in an army camp, it is unclear whether its findings would be admissible in court. Under the Armed Forces (Special Powers) Act, soldiers being tried in a civilian court itself requires sanction from the union government, one that it has never given for a case in Jammu and Kashmir.

Meanwhile, the army has begun a parallel process in its court of inquiry, which will not be publicly disclosed. Many locals I spoke to feared this would not amount to much. Even identifying the torturers is only a small part of what the probe reportedly aims at, with its focus also being on who shot the video, who leaked it and the operational lapses in dealing with militants over the past year and a half. A few officers who were at the maal post have been removed, but it is unclear if any action has been taken against any of the officials in the two other bases. Acharya has reportedly been transferred, though it is unclear if he will be investigated for his alleged role in the 22 December incident.

Noor, working for the BSF's intelligence unit, was the only man in all three villages who had any strings worth pulling. But he too seemed distraught and hopeless. "My brother was working for one of our country's premiere intelligence agencies, and, when he was murdered, we can't even get a proper case registered, forget getting full justice," he told me. "I asked one of my sources regarding the inaction on the part of the SIT constituted to probe into these extra judicial killings. He simply replied that they were 'waiting for directions from the higher authorities.'"

HIGHER AUTHORITIES, at least publicly, seem to be going out of their way to heal wounds in Topa Peer. Clearly, they have not taken this event lightly. On 25 December, Manoj Pande, the army's chief of staff, visited Jammu, though he reportedly only looked into the prevailing security situation in the region. Two days later, Rajnath Singh, India's defence minister, visited Rajouri. He had flowery words for the troops on the occasion saying, "While we aim to eliminate the terrorists, our aim should be bigger; we have to win the hearts of our countrymen." He went on to refer to the incidents of 22

December, but merely as a “mistake” that may hurt the citizens of the country. Days later, Home Minister Amit Shah also chaired a security review meeting on Jammu and Kashmir, reportedly attended by the chiefs of the IB, the army, the police, the National Investigation Agency and the Research and Analysis Wing—India’s foreign intelligence agency.

Rangeela Begum told me that there can never be a provision of compromise or compensation when there are unequal parties involved. “We might be poor but we still want justice.”

Back in Topa Peer, though, the army seemed to be in overdrive. In early January, the army accelerated Operation Sadbhavana—a counter-insurgency mission that involved building schools and distributing free food to civilians, aimed at winning “hearts and minds.” They refurbished a government dispensary, and distributed notebooks and pencils to children. Most notably, locals told me, the army had begun work on building a road to the village, with earth movers already rolling in to cut down the forests leading up to the village.

The families of those who had died on 22 December were not moved. Speaking about the new solar lights that had been set up across the village under Operation Sadbhavana, Lal’s daughter-in-law, Rangeela Begum, told me, “They blacked out our lives and are now installing solar lights ... this is no substitute for justice. It’s just hooliganism.”

For the affected families, the bundles of cash they received—Rs 10

lakh for the dead and lesser for the injured—were expected to replace their loved ones. Nazir, Shaukat's father, was visited by the commanding officer of the 16 RR and a brigadier, who handed him Rs 10 lakh. Vali was given the same amount. He told me he did not know what to do with it. "We are labourers and I have worked my whole life with the border roads organisation," he said. "I raised my children in extreme poverty and hoped one day they will take care of me when I get old." The money would do little to help. Farooq got Rs 2.3 lakh, while Irfaan got Rs 1.5 lakh. Fazal was given Rs 2.5 lakh. Now barely able to walk, he told me the money was meaningless. "I have five kids and a family of seven to support. I don't see myself being able to work ever again."

□ (https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-poonch-bjp-gujjar-bakkerwal/attachment-20244)



Multiple serving and retired army officers told me that this money likely came from military intelligence funds, which are usually

unaccounted for. “The cases of army trying to compensate an illegal act or a crime committed by its men is not new, though the money is meant for various operations and the connected requirements, including rewarding informers,” a serving army officer told me. “But it used to be covert ... in private, not so blatant and overt.” A retired senior army officer told me that such a blatant display of money, without any exemplary justice and restoration of the faith of those affected, is “worse than blood money.” The notes the affected families showed me were fresh, still wrapped in the plastic of the currency mints of Nashik and Dewas, even showing their recent date of manufacture. Two Indian Revenue Service officers told me that this could mean that these notes came directly from the mint and that even the Reserve Bank of India might not be aware of this leakage of funds.

While state governments often give solatia for families of those who suffered in a disaster, the army itself publicly handing out money is likely unprecedented, even in a region where it has engineered its fair share of disasters. Multiple locals, including village chiefs, told me that the cash was the symbol of a compromise, so the families would not pursue the case. But, in a court of law, compromises can only be reached between equal parties. Rangeela Begum told me that there can never be a provision of compromise or compensation when there are unequal parties involved. “We might be poor but we still want justice.”

MASSACRES ARE NOT rare in Jammu and Kashmir. From the Jammu massacres of 1947 to the Gawkadal, Handwara, Zakoora, Hawal, Bijbehera, Sopore and Kupwara massacres in the 1990s alone, they have a long history. Custodial torture, killings and staged encounters are commoner still. The way the Indian state has often

dealt with extrajudicial violence is by further clampdowns, shutting off the internet, announcing curfews and flooding in more troops. In that sense, the response to the 22 December case is a break in the pattern.

This break is likely because of the identity of the victims, all Gujjars and Bakkerwals. Not only are the communities crucial for the army's ability to function in the Pir Panjal region and an indispensable source of intelligence, they also play vitally into the BJP's hope for the region. The Gujjars and Bakkerwals are together the third largest ethnic group in the union territory. Since 2020, a three-member delimitation commission has been working to redistrict the region, its latest report adding seats to the Hindu-majority Jammu region to accord it nearly the same electoral weight as the Muslim-majority Kashmir Valley. The BJP's Hindu-majoritarian impulses for the region cannot succeed without preserving its tenuous but still existent relationship with the Gujjar and Bakkerwal communities.

"In last few elections the BJP realised that they are unable to breach Pir Panjal electorally because a majority of the population are Muslim," Bilal Rashid, a Congress leader from Jammu and Kashmir, told me. "In some newly reserved seats in this region the Gujjar-Bakerwals are around 40 to 45 percent of the electorate and decide outcomes. They also have a significant presence in other constituencies." He added that the communities are, "patriotic and because of this politics they are finding it tough to work along the border," especially now with an increase in militancy in the region. The centrality of the community to the BJP's plans means that an increasingly politicised army, too, needs to react differently than how it may have in the past.

The directions note that the army should identify “black, grey and white villages and population—treat accordingly.” This suggests a continued policy of collective punishment in the region.

But these suggestions seem to be only paper thin. Two senior army officials told me that while the army was advertising its new Sadbhavana drive in Poonch, Lieutenant General Upendra Dwivedi, the chief of the army’s Northern Command, sent out directions to be complied by all ranks below him. These are ominous directions, which suggests that little will change.

The directions note that the army should identify “black, grey and white villages and population—treat accordingly.” This suggests a continued policy of collective punishment in the region. It also added that the aura of the army must be felt. Oddly, the army does not seem to aim at stamping out militancy in the region, instead noting that the southern Pir Panjal region, can have an acceptable figure of around thirty militants. The directions seemingly contain instructions from Amit Shah that the army will be an umbrella organisation and that the army has to play a pivotal role in the entire process, including initiatives of development programmes. It concludes with a single point: “Aggressive outlook.”

7 (https://caravanmagazine.in/crime/indian-army-torture-jammu-and-kashmir-poonch-bjp-gujjar-bakkerwal/attachment-20245)



We cannot know for certain what these instructions might mean for the families of Topa Peer. But they at least spell out that the army's role in their villages is unlikely to recede and that people will only be

seen through a lens of suspicion. The borders the village has lived alongside for centuries seem unlikely to disappear, as do the militants and the army. But the families told me they had hoped for at least some things to change—that their cases would be registered and proper investigations would take place, ensuring a semblance of the justice that is taken for granted elsewhere in the country. The last time I met Noor, he still seemed to be shrugging off the uniform he was not wearing. After discussing the case for hours, he had little else to say. His head in his hands, finally, he said, “Who will work for the country if you start killing us in cold blood like this?”

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